

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DOUGLAS HERVEY, JR.,

Plaintiff,

v.

POLICE OFFICER DREW J. WERNINGER,

et al.

Defendants.

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No.: 4:12-CV-00488JCH

**PLAINTIFF'S MOTION FOR ORDER
DISMISSING CAUSE WITH PREJUDICE, BY STIPULATION**

Comes now Plaintiff Douglas Hervey, Jr., by counsel W. Bevis Schock and Joel J. Schwartz, and move under Fed.R.Civ.P. 41(a)(2) for an order dismissing cause with prejudice, by stipulation. In support whereof Plaintiff states:

1. Via ADR the parties reached an agreement for settlement.
2. The parties then agreed on a form for release.
3. Plaintiff has executed that form of release and delivered it to Defendants.
4. Defendants have paid to Plaintiff the agreed on settlement amount.
5. This matter is thus wholly resolved.
6. The parties have therefore stipulated that this cause should be dismissed with prejudice.

Respectfully Submitted,

Co-Counsel for Plaintiff

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CERTIFICATE OF SERVICE

I hereby certify that on June 16, 2013 the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the following:

H. Anthony Rely
Robert J. Isaacson
Assistant Attorney General
Missouri Attorney General's Office
P.O. Box 861
St. Louis, Missouri 63188
/s/ W. Bevis Schock .
W. Bevis Schock, 32551MO